

Shana Lazerow, State Bar No. 195491
COMMUNITIES FOR A BETTER ENVIRONMENT
1440 Broadway, Suite 701
Oakland, California 94612
Tel: (510) 302-0430
Fax: (510) 302-0438

Attorneys for Plaintiff
COMMUNITIES FOR A BETTER ENVIRONMENT

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

COMMUNITIES FOR A BETTER
ENVIRONMENT, a California non-profit
corporation;

Plaintiff,

vs.

ACTION METAL RECYCLING, INC, a
California corporation;

Defendant.

Case No. C 07 02768 JCS

**SUPPLEMENTAL JOINT CASE
MANAGEMENT CONFERENCE
STATEMENT AND PROPOSED ORDER**

Judge: Hon. Joseph C. Spero

Case Mgmt. Conf. Date: February 8, 2008

Case Mgmt. Conf. Time: 1:30 p.m.

Pursuant to Local Civil Rule 16-10, Plaintiff Communities for a Better Environment (“CBE”), and Defendant Action Metal Recycling, Inc. (“Action Metal”), respectfully submit their Second Supplemental Case Management Conference Statement and Proposed Order.

1. The Parties have made the following progress since the last case management statement was filed:

The Parties have been working in good faith to reach a settlement of the action. Plaintiff sent Defendant a written settlement offer in August 2007. In November 2007, the Parties participated in a productive mediation session. The Parties have exchanged draft

1 settlement documents, and believe they are making progress toward settlement.

2 Additionally, the Parties have exchanged initial disclosures.

3 2. In the event the Parties are unable to conclude a settlement, they jointly request the
4 Court to make the following Supplemental Case Management Order:

- 5 • Defendant shall file responsive pleading on or before March 1, 2008.

6 Dated: January 31, 2008

/s/

7 Shana Lazerow¹

8 Attorney for Plaintiff

9 COMMUNITIES FOR A BETTER ENVIRONMENT

10
11 Dated: January 31, 2008

/s/

12 W. Lee Smith

13 TRUTANICH MICHEL, LLP

14 Attorney for Defendant

ACTION METAL RECYCLING, INC

15 **IT IS SO ORDERED.**

16
17 Date: _____

18 Honorable Joseph C. Spero

19 United States Magistrate Judge

20
21
22
23
24
25
26
27
28 ¹ As the filing attorney, I certify that counsel for Action Metal has authorized me to file this document with his signature. Pursuant to General Order 45 IX, this action being designated for electronic filing, the above document is deemed served on Defendant upon filing via the ECF.